

Project No.	Project Name	Stream	State	Expiration date
11938-001 .....	Y Canal .....	N. Side Canal Company irrigation system .....	ID .....	08-31-2004

The permits shall remain in effect through the thirtieth day after issuance of this notice unless that day is Saturday, Sunday, or holiday as described in 18 CFR 385.2007, in which case each permit shall remain in effect through the first business day following that day. New applications involving these project sites, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E3-00341 Filed 11-20-03; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12318-001]

#### Edgewater, LLC; Notice of Surrender of Preliminary Permit

November 14, 2003.

Take notice that Edgewater, LLC, permittee for the proposed Ball Band Hydro Works Project, has requested that its preliminary permit be terminated. The permit was issued on February 11, 2003, and would have expired on January 31, 2006.<sup>1</sup> The project would have been located on the St. Joseph River in St. Joseph County, Indiana.

The permittee filed the request on October 20, 2003, and the preliminary permit for Project No. 12318 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday, or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E3-00343 Filed 11-20-03; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12139-001]

#### Public Utility District No. 1 of Franklin County; Notice of Surrender of Preliminary Permit

November 14, 2003.

Take notice that Public Utility District No. 1 of Franklin County, permittee for the proposed EBC 625 Hydroelectric Project, has requested that its preliminary permit be terminated. The permit was issued on April 19, 2002, and would have expired on March 31, 2005.<sup>1</sup> The project would have been located at Station 625+00 on Eltopia Branch Canal in Franklin County, Washington.

The permittee filed the request on July 1, 2003, and the preliminary permit for Project No. 12139 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday, or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E3-00342 Filed 11-20-03; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7589-4]

#### Proposed Consent Decree, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Proposed Consent Decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by Our Children's Earth Foundation and Sierra Club: *Our Children's Earth*

*Foundation and Sierra Club v. EPA*, No. C 03-0770 CW (N.D. Calif., 2003). On February 21, 2003, Our Children's Earth Foundation and Sierra Club filed a complaint claiming that EPA had failed to perform non-discretionary duties under CAA section 111(b) to review and, if appropriate, revise certain new source performance standards ("NSPS") for electric utility steam generating units (40 CFR part 60, subpart Da); industrial-commercial-institutional boilers (Subparts Db and Dc); and stationary gas turbines (subpart GG). Plaintiffs also claimed that EPA had failed to revise the sulfur dioxide limitations in Subpart Da in accordance with section 403 of the Clean Air Act Amendments ("CAAA") of 1990, 104 Stat. 2399, 2631 (1990). Under the proposed consent decree, EPA would be required to revise these NSPS subparts or make determinations that revisions are not appropriate within 24 months from when the Court enters the consent decree. Within that 24 months, EPA would also be required to revise the sulfur dioxide limitations in subpart Da in accordance with section 403.

**DATES:** Written comments on the proposed consent decree must be received by December 22, 2003.

**ADDRESSES:** Submit your comments, identified by docket ID number OGC-2003-0004, online at <http://www.epa.gov/edocket> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in WordPerfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Andrew Gordon, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460, telephone (202) 564-7606.

**SUPPLEMENTARY INFORMATION:**

<sup>1</sup> 102 FERC ¶ 62,096.

<sup>1</sup> 99 FERC ¶ 62,049.